IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELALTE JURISDICTION

WRIT PETITION NO. 5500 OF 2000.

N. Balasubramanian ....Applicant.
V/s
Union of India & Ors.... ...
Respondents.

Shri S. G. Deshmukh for the applicant.

CORAM: V.G. PALSHIKAR
AND
S. A. BOBDE, JJ.

27.6.2005

PC:

Heard Shri Deshmukh, learned counsel for the petitioner on merits of the case. The claim of the petitioner was for payment of interest as the delay in payment thereof was caused due to the fault of the Government. The question as to whether the delay in the matter of payment was because of negligence or fault of any other nature on the part of the State is purely a question of fact which requires to be probed by appropriate and adequate evidence for which civil suit is the only appropriate remedy. Reserving the the said liberty to the petitioner to take such remedy this petition is dismissed.